

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
CINCINNATI DIVISION**

HUNTER DOSTER, et. al. : :

Plaintiffs, : Case No. 1:22-CV-84
v. : Hon. Matthew W. McFarland

FRANK KENDALL, et. al. :
Defendants. : :

**PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION FOR LEAVE TO FILE
EXCESS PAGES**

Plaintiffs, through Counsel, provide this Opposition to Defendants' Motion for Leave to File Excess Pages (Doc. 137) requesting to expand their opposition to Plaintiffs' motion for attorney fees and costs/interim attorney fees and costs to 26 pages.

1. On May 1, 2024, Plaintiffs' filed their motion for attorney fees and costs/interim attorney fees and costs that was twenty pages long (Doc. 129), pursuant to Local Rule 7.2(3)'s requirement that memoranda in support of any motion not exceed twenty pages.
2. There is no reason to believe that Defendants cannot fully comply with Local Rule 7.2(3), in lodging whatever attacks Defendants may wish with respect to the fee application. Defendants raise arguments about this alleged need for an extension, yet their arguments actually demonstrate that it is possible for them to comply with page limitations if they choose to. For instance, Defendants argue that attachments in support with invoices are voluminous – yet Defendants have demonstrated elsewhere¹ that they are able to annotate those same documents to (effectively) evade the page limit requirement in all

¹ See Poffenbarger v. Kendall, 3:22-cv-00001 at Doc. 69-2, 69-3, 69-4.

events. Defendants argue that they allegedly need the extension to argue everything that they want to raise, yet they were able to summarize these issues in a single sentence in their motion for a extension.

3. Permitting the page extension here will merely cause the Plaintiffs to have to spend more pages in the Reply, driving up the attorney fees and costs further, which Defendants are already anticipated to complain about.

CONCLUSION

For the foregoing reasons, Plaintiffs request that the Court deny Defendants' Motion for Leave to File Excess Pages for their opposition to Plaintiffs; motion for attorney fees and costs/interim attorney fees and costs.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing by electronic mail this 17 day of June 2024.

/s/Christopher Wiest
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